

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL JAMES MUGLER,)
)
 Petitioner,)
)
 vs.)
)
STEVE LARKINS,)
)
 Respondent.)

Case No. 4:10CV1050 CDP

MEMORANDUM AND ORDER TO SHOW CAUSE

On August 23, 2010, I sent out an Order requiring respondent to show cause within forty-five days (45) why the relief requested by petitioner should not be granted. Respondent has yet to comply with my Order, and his time for doing so has expired. In the interests of justice, I will grant respondent an extension of time to show cause why the relief requested by petitioner should not be granted.

Accordingly,

IT IS HEREBY ORDERED that respondent shall show cause, in writing and within forty-five (45) days of the date of this Order, why the relief requested by petitioner should not be granted.

In accordance with Rule 5(b) of the Rules Governing § 2254 Cases, respondent's answer shall address the merits of all grounds for relief alleged in the petition. In addition, it must state whether any ground in the petition is barred by

a failure to exhaust state remedies, a procedural bar, non-retroactivity, or a statute of limitations.

IT IS FURTHER ORDERED that, if petitioner chooses to file a reply to respondent's answer to the petition, the reply shall be filed within sixty (60) days of the date the answer to the petition is filed. If petitioner fails to timely file a reply, the right to file such a reply shall be waived. See Rule 5(e) of the Rules Governing § 2254 Cases.

A handwritten signature in black ink, reading "Catherine D. Perry", is written over a horizontal line.

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 30th day of November, 2010.